



Entered on Docket
July 13, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

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In re)	BK-06-10725-LBR
)	Chapter 11
USA COMMERCIAL MORTGAGE CO.,)	
)	PRETRIAL
)	Date: September 30, 2009
)	Time: 2:30 p.m.
)	TRIAL
)	Date: October 8 & 9, 2009
Debtor(s).)	Time: 9:30 a.m.

**ORDER RE: PRE-TRIAL MATTERS; TRIAL;
AND SETTLEMENT CONFERENCE**

IT IS HEREBY ORDERED trial is set on the Objection to Claim 1279 of Lerin Hills Ltd. (Doc. 3080), and the provisions checked below are hereby adopted by this court as its order.

☒ The request for waiver is granted and no formal discovery plan is required to be filed.

☐ The discovery plan filed by the parties shall govern the matters set forth therein.

☐ Discovery shall be completed by the date shown in the Standard Discovery Plan.

☐ The scheduling conference set with the issuance of the summons (or the continued scheduling conference) is hereby vacated.

☐ The parties shall participate with their clients in a settlement conference in accordance with the Settlement Conference Order (a copy of which will be sent by the court).

1 The court may at a later time, either upon its own motion or at the request of counsel,
2 order a settlement conference.

3 A pre-trial conference will be held on September 30, 2009 at 2:30 p.m.

4 **TRIAL STATEMENTS**

5 ☐ No trial statement is required.

6 ☒ Each party shall file a trial statement (or counsel may meet and file a joint trial
7 statement)

8 ☐ The parties shall file a joint trial statement.

9 Trial statements shall contain the information as shown on, and in the form of, Part "A"
10 attached hereto. Trial statements shall be filed on or before fourteen days before the pre-trial
11 conference, or if no pre-trial conference is set fourteen days before trial.

12 Any objections made pursuant to Fed. R. Civ. P. 26(a)(3) shall be made no later than five
13 days after the opposing party files its Trial Statement.

14 **PRETRIAL MOTIONS**

15 Motions in Limine must be filed 14 days prior to the pre-trial conference, or if no pre-trial
16 conference is set, ☐ days before trial. Responses are due no later than five days thereafter.

17 **EXHIBITS/WITNESS LISTS**

18 Each party shall lodge and meet with the Courtroom Deputy Clerk not later than the day
19 before the trial the following:

20 (1) The original and 1 copy of all exhibits, bound and tabbed. All exhibits shall
21 be marked with stickers on the lower right corner of the exhibit whenever possible.
22 Log forms may be obtained from the Court's web site at www.nvb.uscourts.gov or from the
23 Courtroom Deputy Clerk.

24 All exhibits to which there are no objection shall be admitted by stipulation.
25 Counsel may stipulate to an exhibit on one ground (e.g., foundation) while preserving an
26 objection on another ground (e.g., relevance).

1 (2) List of witnesses with correct spelling of the witnesses' full name.

2 **Counsel must make an appointment with the respective Courtroom Deputy to meet**
3 **with them to lodge the exhibits.**

4 Trial of this matter is rescheduled to October 22nd & 23rd at 9:30 a.m. at 300 Las Vegas
5 Blvd. South, Las Vegas, Nevada, before Judge Linda B. Riegle in Courtroom #1, located on the
6 Third Floor. **Original trial dates of October 8th & 9th are hereby vacated.**

7 **IT IS SO ORDERED.**

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10 Copies sent through ECF to:
11 Rob Charles
12 John Hinderaker
13 Ty Kehoe
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PART "A"

(Trial Statements)

The trial statement(s) shall contain the following items:

1. The disclosures required by Fed. R. Civ. P. 26(a)(3), as adopted by Fed. R. Bank. P. 7026 and LR 7026.
2. A concise statement of the nature of the action and contentions of the parties.
3. A statement as to the core or non-core jurisdiction of the Court, with legal citations.
4. Stipulated facts.
5. Contested issues of law with concise memorandum of authority.
6. Log of exhibits which may be offered in evidence, including any exhibits for impeachment or to refresh the memory of a witness.
7. Any special trial issue which requires the Court's attention.
8. The list of witnesses, with their addresses, expected to be called.